

# JOURNAL OF THE HOUSE

First Extraordinary Session, 96th GENERAL ASSEMBLY

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SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

The House met pursuant to adjournment.

Representative Jones (117) in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*God is our refuge and strength, a very present help in trouble, therefore we will not fear. (Psalm 46:1)*

Eternal God, our Father, Who is the refuge and strength of Your people in every age and Whose creative spirit is ever calling us to new frontiers of thought and action, we pause in Your presence as we greet the coming of another day. In Your strength we would be made strong, with Your wisdom we would be made wise, and by Your grace we would be made good.

We are grateful for this day of opportunity and challenge. By clarity of thought, by a sincerity of spirit, by a genuineness of motive, and by a goodness of life, may we show ourselves ready for the responsibilities we face this hour.

Kindle in our hearts and in the hearts of all Your children a real love for peace, and may the rule of Your spirit increase in the minds of people until justice and goodwill shall be established upon this planet.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## SECOND READING OF HOUSE BILL - APPROPRIATIONS

**HB 6** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1** through **HB 5** and **HB 7** were read the second time.

## MESSAGE FROM THE GOVERNOR

September 6, 2011

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE NINETY-SIXTH GENERAL ASSEMBLY OF  
THE STATE OF MISSOURI:

I am enclosing a Special Message to all members of the General Assembly. Please read the enclosed message during the Special Session.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon  
Governor

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SPECIAL MESSAGE

WHEREAS, by my Proclamation dated August 22, 2011, I convened the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

WHEREAS, Senate Committee Substitute for Senate Bill No. 54, relating to protecting children from sexual offenders, was passed during the First Regular Session of the Ninety-Sixth General Assembly; and

WHEREAS, significant confusion and concern has been raised regarding provisions contained in Senate Committee Substitute for Senate Bill No. 54 that limit electronic communications between teachers and students; and

WHEREAS, it is important that teachers and school district staff have the ability to appropriately communicate with their students without fear and uncertainty as to the application of the legal restrictions contained in Senate Committee Substitute for Senate Bill No. 54; and

WHEREAS, the State of Missouri has been affected by numerous natural disasters during 2011; and

WHEREAS, these natural disasters have destroyed numerous businesses in Joplin and elsewhere across this state; and

WHEREAS, counties are currently authorized to provide property tax relief for residential property destroyed by a natural disaster; and

WHEREAS, counties are not authorized under current law to provide similar property tax relief to commercial property destroyed by a natural disaster, thereby imposing a significant financial hardship to businesses attempting to rebuild and recover in the aftermath of a disaster; and

WHEREAS, affording counties the authority to extend property tax relief to commercial property destroyed by a natural disaster will provide much needed assistance to those business owners affected by disasters; and

WHEREAS, the need to repeal certain provisions contained in Senate Committee Substitute for Senate Bill No. 54 passed during the First Regular Session of the Ninety-Sixth General Assembly relating to electronic communications between teachers and students and to enact property tax relief for commercial property destroyed by a natural disaster are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated and limited for consideration by the General Assembly in my August 22, 2011 Proclamation to add to those matters the following additional specifically designated and limited matters. The additional specifically designated and limited matters on which the action of the General Assembly is deemed necessary are as follows:

- To enact legislation repealing subsections 162.069.1 through 162.069.4, RSMo. This matter is limited to the repeal of subsections 162.069.1 through 162.069.4, RSMo, and should not be construed to allow or permit amendments to those subsections or to otherwise enact revised or new language in place thereof.
- To enact legislation establishing a mechanism for commercial property to be removed on a pro rata basis from the tax book if such commercial property is destroyed by a natural disaster and is unusable for commercial activity due to such destruction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6<sup>th</sup> day of September, 2011.

/s/ Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1** - Urban Issues  
**HB 2** - Ways and Means  
**HB 3** - Elections  
**HB 5** - Ways and Means  
**HB 6** - Budget  
**HB 7** - Budget

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

#### **SENATE RESOLUTION NO. 1**

BE IT RESOLVED by the Senate of the Ninety-sixth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

The following members' presence was noted: Asbury, Barnes, Berry, Black, Brandom, Brown (85), Brown (116), Cauthorn, Cierpiot, Colona, Conway (14), Conway (27), Crawford, Cross, Curtman, Davis, Day, Dugger, Elmer, Fisher, Fuhr, Gatschenberger, Gosen, Grisamore, Higdon, Holsman, Hubbard, Kelly (24), Koenig, Korman, Lair, Lant, Lasater, Lauer, Leach, Montecillo, Nasheed, Neth, Reiboldt, Riddle, Rizzo, Schad, Scharnhorst, Schieber, Schieffer, Silvey, Solon, Spreng, Taylor, Torpey, Wells, White and Wieland.

### **ADJOURNMENT**

On motion of Representative Jones (117), the House adjourned until 10:00 a.m., Thursday, September 8, 2011.

## COMMITTEE MEETINGS

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

### APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES

Thursday, September 8, 2011, 1:00 PM House Hearing Room 7.

Departmental updates. (Note time change from previous hearing notice.)

CORRECTED

### BUDGET

Thursday, September 8, 2011, 11:30 AM House Hearing Room 3.

Public hearing will be held: HB 6, HB 7

Executive session will be held: HB 6, HB 7

Extraordinary session House Bills: HB 6, HB 7

### ELECTIONS

Thursday, September 8, 2011, 3:00 PM House Hearing Room 1.

Public hearing will be held: HB 3

Executive session will be held: HB 3

### FISCAL REVIEW

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

### INTERIM COMMITTEE ON DISASTER RECOVERY

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

### INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

### JOINT COMMITTEE ON EDUCATION

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,  
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.

Informational meeting.

RULES - RULES PURSUANT TO RULE 25(32)(F)

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

URBAN ISSUES

Thursday, September 8, 2011, 11:00 AM House Hearing Room 6.

Public hearing will be held: HB 1

Executive session will be held: HB 1

WAYS AND MEANS

Thursday, September 8, 2011, 1:00 PM House Hearing Room 6.

Public hearing will be held: HB 2, HB 5

Executive session will be held: HB 2, HB 5